IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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In re Application of: Michael Lee Gasperi et al.

Prior Application Serial No.: 10/396,055 Prior Application Filed: March 25, 2003

Serial No.: Unassigned

Filed: Herewith

METHOD AND APPARATUS FOR For:

DETERMINING A SWITCHING SIGNAL

STATE

(Formerly: METHOD AND APPARATUS FOR PROVIDING A SWITCHING SIGNAL

IN THE PRESENCE OF NOISE)

Group Art Unit: Unassigned

Examiner:

Unassigned



Atty Docket:

02AB146-A/YOD

ALBR:0132-1

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

"EXPRESS MAIL" MAILING LABEL NUMBER: EL 982 235 530 US

DATE OF DEPOSIT: September 15, 2003

§

Pursuant to 37 C.F.R. § 1.10, I hereby certify that I am personally depositing this paper or fee with the U.S. Postal Service, "Express Mail Post Office to Addressee" service on the date indicated above in a sealed envelope (a) having the above-numbered Express Mail label and sufficient postage affixed, and (b) addressed to the Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.

September 15, 2003

Date

Dear Sir:

REQUEST FOR FILING DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

This is a Request for filing a divisional application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 10/396,055, filed on March 25, 2003, entitled METHOD AND APPARATUS FOR DETERMINING A SWITCHING SIGNAL STATE in the name of Michael Lee Gasperi et al..

The following are enclosed:

| 1. | X | Papers which the undersigned declares to be a true copy of the prior application as |
|----|---|---|
| | | originally filed, including a Title page, a 18 page disclosure, 7 pages of claims, a 1 page |
| | | abstract of the disclosure, 4 sheets of formal drawings, and a Declaration & Power of |
| | | Attorney signed by the inventor. |

The Commissioner is authorized to charge the filing fee as calculated below, less any claims canceled by amendment below, and any additional fees which may be required, to Rockwell Deposit Account No. 01-0857, Order No. 02AB146-A/YOD.

A copy of the Election and Power of Attorney in the prior application. 3.a. _____

3.b. ____ A new Power of Attorney.

4. X An Assignment of record for the prior application.

5. <u>X</u> Three (3) sets of informal drawings, each set consisting of 4 sheets.

| | 6.a | A verified statement claiming small entity status is enclosed. | | |
|----------|--|--|--|--|
| | | or | | |
| | 6.b | A verified statement claiming small entity status was filed in a parent application and small entity status is still proper and desired in this continuing application. | | |
| | 7. <u>X</u> | Preliminary Amendment. | | |
| <u>X</u> | Bradley Compa | ease address all correspondence in connection with this application to Alexander Gerasimow, Allen- radley Company,1201 South Second Street, Patent Dept., 704P Floor 8 T29, Milwaukee, WI 53204 lephone (414) 382-2000. | | |
| _X_ | X Amend the specification by inserting before the first line the sentence: | | | |
| | -This application | n is a Continuation of application Serial No. 10/396,055 filed March 25, 2003 | | |
| least or | | eplication original claims $\underline{0-00}$ of the prior application before calculating the filing fee. (At addent claim must be retained for filing purposes.) | | |

The filing fee is calculated on the basis of the claims originally filed in the prior application, and any claims canceled by amendment.

| CLAIMS | FOR | NUMBER FILED | NUMBER EXTRA | RATE | CALCULATIONS |
|--------|--|--------------|----------------------------|------------|--------------|
| | TOTAL 30 CLAIMS | - 20 = | 10 | X \$ 18.00 | \$ 180.00 |
| | INDEPENDENT 6 CLAIMS | - 3= | 3 | X \$ 84.00 | 252.00 |
| | MULTIPLE DEPENDENT CLAIM(S) (If applicable) | | | + 280.00 | |
| | | | | BASIC FEE | 750.00 |
| | Total of above Calculations = Reduction by ½ for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27. 1.28. | | Total of above Calculation | ons = | \$ 1,002.00 |
| | | | | \$ | |
| | | | | TOTAL = | \$ 1,002.00 |

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| Date: | Patrick S. York |
|-------|-----------------|
|-------|-----------------|

Reg. No. 37,479 FLETCHER YODER P.O. Box 692289 Houston, Texas 77269-2289 (281) 970-4545